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BOSTON UNIVERSITY

GRADUATE SCHOOL

Thesis

THE HISTORY and DIPLOMACY of the ACQUISITION
of
FLORIDA

Submitted by

EVELYN MAY O'BRYAN

B.S., Teachers College, 1925

In partial fulfilment of requirements for
the degree of Master of Arts

1928

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1. Introduction

The purpose of this study is to investigate the effects of the proposed changes on the system.

- 1.1. Objectives of the study
- 1.2. Scope of the study
- 1.3. Limitations of the study

2. Literature Review

This section reviews the existing literature on the topic, highlighting the gaps that this study aims to address.

3. Methodology

- 3.1. Research design
- 3.2. Data collection methods
- 3.3. Data analysis techniques
- 3.4. Ethical considerations
- 3.5. Limitations of the methodology

4. Results and Discussion

- 4.1. Key findings
- 4.2. Interpretation of results
- 4.3. Implications for practice
- 4.4. Conclusions

There are certain issues involved in the negotiations for the acquisition of Florida that make the transaction especially conspicuous in the annals of American history. The general situation of the political arena at this time, the complexity of world politics, and the prominent position of the United States diplomatically are apparent in their bearing on the negotiations. In the affairs of Florida is seen the germ of the future American attitude toward European relations with the Western Hemisphere, the logical sequence of which was the proclamation of the Monroe Doctrine as the principle upon which the American government would shape its policy toward European powers in the future.

The student is tempted to speculate on how different American history would have been had Spain retained Florida both as regards relations with foreign powers and international development. A study of the transfer reveals the intimate connections which the acquisition of this territory had with the internal growth of America economically, socially, and politically, and to expansion in other quarters. By the cession of

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Florida to the United States the annexation of Texas was probably postponed many years, which eventually involved the United States in a war with Mexico resulting in the acquisition of vast territory. By the Florida treaty the boundary on the south was definitely fixed and did away with all further misunderstanding over that line. If the United States had not acquired Florida, Southern industries would have been retarded because of lack of sea-ports and the consequent inconvenience of importation and exportation while the mouths of the principal waterways were in foreign possession. Moreover, effective blockade of the southern coast during the Civil War would have been difficult with Florida in foreign hands. The mere expulsion of Spain from the borders of the United States had no little significance, for with the revolutions incident to Spanish rule in America, it is doubtful if the hand of the United States could have been restrained with Florida in a turmoil like the rest of Spanish America. Besides, there was the danger of having such a hot bed of political and social unrest at the very threshold, attracting malcontents, or outlaws, seeking an asylum from justice. The probability of this condition had been abundantly evidenced before the close of the negotiations.

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Early Relations with Spain.

The seeds of future controversy were sown during the Revolution by the terms Spain demanded as the price of an American alliance. She saw in the revolt of the colonies an opportunity for consolidating and extending her American possessions. While Spain entered the war as an enemy of Great Britain she never became an ally of the United States. As the war went on and the issue became independence, the moral influence of a successful colonial revolt was, no doubt, dreaded by the rulers of a nation which possessed the greatest colonies of the world. It meant a young republic on her own borders with political principles opposed to those of Spain.

But another motive of hostility was the desire to perpetuate her commercial policy. All foreigners were excluded from trade with Spanish colonies. It was only since England had possessed the Floridas that she had been forced to make some changes in her monopolistic system. The control of the Gulf of Mexico was therefore the ruling principle of the Spaniard in all his diplomatic dealings affecting the United States, and this principle

THE HISTORY OF THE

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necessarily carried with it the corollary that the Mississippi River must be closed to all foreign commerce.

When Jay was sent to Madrid to effect an alliance he was informed that the chief difficulty in the way of any treaty lay in the pretensions in regard to the navigation of the Mississippi by American citizens. This policy of Spain was made known to the American Congress in February, 1780, through "Articles which his Catholic Majesty deems of great importance to the interests of his crown and on which it is highly necessary that the United States explain themselves with precision.

"That the articles are:

1. "A precise and invariable western boundary of the states."
2. "The exclusive navigation of the river Mississippi."
3. "The possession of the Floridas."

"The lands on the left or eastern bank of the
1.
Mississippi. "

1. Chadwick - Relations of United States and Spain I:18.
Quoted from Diplomatic Correspondence III, 489.

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Fortunately for the United States all attempts at an alliance failed.

In the peace negotiations of 1782-1783 America found herself compelled to resist Spanish claims. The treaty of 1763, to which both France and Spain were parties, provided that "The river Mississippi shall be equally free as well to the subjects of Great Britain as to those of France in its whole breadth or length from its source to the sea and expressly that part which is between the said island of New Orleans and the right bank of the river as well as the passage both in and out of its mouth. It is furthermore stipulated that the vessels belonging to the subjects of either nations shall not be stopped, visited, or subjected to the payment of any duty whatsoever". Spain, in exchange for the restitution of Cuba and Havana, ceded to England "Florida with Fort Augustine and the Bay of Pensacola as well as all that Spain possessed on the continent of North America to the east or the south-east of the river Mississippi and in general everything that depends on said countries or lands"¹.

1. Chadwick - Relations of United States and Spain.
Chapter I.

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The treaty of 1783 had confirmed the right of the free navigation of the Mississippi to the American citizens. But Spain held that this was not a right but a privilege which was given to Great Britain, and which she had no legal right to transfer to a third party.

By royal proclamation of 1763, East Florida and West Florida were formed into two distinct districts divided by the Apalachicola River. Both districts had at first the thirty-first parallel as a northern boundary, but the next year the boundary was changed to $32^{\circ} 28'$ - which change later gave rise to much controversy.

In the provisional treaty of 1782 between the United States and Great Britain there was a secret article which was as follows: "It is hereby understood and agreed that in case Great Britain at the close of the present war shall receive or be put in possession of West Florida, the line of North boundary between the said province and the United States shall be a line drawn from the mouth of the river Yassous where it unites with the Mississippi, due east, to the river Apalachicola.

1.

Great Britain evidently hoped to regain possession of Florida, but the province was ceded to Spain at the close of the war. The boundaries, however, were not defined. This gave Spain the opportunity to claim the province as defined in the secret treaty, the existence of which had come to her knowledge.

The points of dispute upon which Secretary Jay was instructed not to yield in the negotiations carried on with the Spanish minister Don Diego de Gardoqui at Philadelphia, were the boundaries of Florida as fixed by the treaty with Great Britain, and the free navigation of the Mississippi. To these questions were added the regulation of commerce, the irritating subject of Indian aggressions, and the claims of American citizens for illegal captures by Spanish privateers.

Throughout the negotiations Spain held rigidly to her stand on the navigation of the Mississippi. Jay proposed to Congress to agree to "forbear the use" of the rights on the Mississippi for a period of twenty-five years for certain commercial arrangements and to leave the boundary question to further compromise.

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of a special mission to foreign nations and the payment on any cession of territory connected therewith. On January 11, 1803, James Monroe was appointed to act with Livingston in negotiating a treaty with France to secure "our rights and interests in the river Mississippi and in the territories eastward thereof". There was considerable doubt, however, as to whether the cession had actually been accomplished, or whether the Floridas were included in the territory ceded. Monroe was given, therefore, a second commission to the Spanish court for the same purpose--to be used if necessary.

Meantime, Livingston's diplomacy at Paris took on a more aggressive tone. He was ambitious to get the negotiations well underway before Monroe arrived. He reminded Talleyrand of Spain's breach of the Treaty of 1795 and threatened the seizure of New Orleans and the Floridas as a retaliatory act by the United States which would have the support of England. The fact that Napoleon suddenly found himself face to face with a war with England changed his policy decidedly. Lacking the command of the sea he was forced to abandon his New World enterprise. But he could not allow England to obtain Louisiana,

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neither would he hand it back to Spain. He would instead transfer it to the United States for a sum of money which he sorely needed. And so the Americans were dramatically informed that France did not have the Floridas to sell, but was quite willing to part not only with New Orleans but with the whole of Louisiana.

The American envoys felt confident that their action would be endorsed by Jefferson and so did not hesitate to assume the responsibility of concluding a treaty by which the United States acquired a territory which doubled its area for the sum of sixty million francs. Their instructions had dealt with New Orleans and the territory east of the Mississippi; they had purchased New Orleans and the vast unknown territory west of the river. It set the seal of the future predominance of the United States over the western continent. The navigation of the Mississippi was now independent of the favors of foreign nations and the motive for disloyalty in the West was removed.

The treaty was signed April 30, 1803, but it was the thirtieth of the following November before

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Napoleon's agent received possession of the province from the Spanish governor. Seventeen days later William Claiborne received possession of the province for the United States. These dates are significant as emphasizing the fact that Napoleon did not legally possess Louisiana when he sold it to the United States. This, together with the fact that Napoleon had promised Spain that France would not alienate Louisiana to any other power, but if France did not occupy it herself she would restore the province to Spain, has led certain historians to criticise adversely the whole transaction from a moral standpoint. As between France and Spain there can be no doubt that the Spanish government, which was at that time under the heel of Napoleon, was bullied into the transfer. Neither did Napoleon fulfill his part of the bargain in regard to the delivery of the kingdom of Etruria. This, however, was not a concern of the United States. Again, the promise made by Napoleon not to alienate Louisiana to any other power was not a part of the treaty of Ildefonso but was made in July, 1802, two years after the cession. The breach of such a promise might well give rise to just complaints and protests by Spain against France, but

when the Spanish minister at Washington protested to Madison, the latter could refer him to the communication of Mr. Cevallos, (the Spanish minister of foreign affairs) to the American plenipotentiary at Madrid, in a note dated May 4, 1803, in which the Spanish minister referred the United States treaty envoys to the French government to negotiate the acquisition of Louisiana.¹ Consequently the government of the United States, was surely right in considering this a positive recognition by Spain of the legality of entering into the transaction which had taken place. It does not seem, therefore, that either law or morals would require the United States to repudiate the bargain because of the later protests of Spain.

1. American State Papers, Foreign Relations - II:570

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 fortieth part contains a list of the
 principal protozoans of the country.

The Boundary Dispute

In buying Louisiana the United States incurred two boundary disputes which resulted in many years of controversy. One remarkable feature of the purchase was that it did not define the boundaries of the province. The treaty of cession gave as its definition of Louisiana the description given in the treaty of Ildefonso between France and Spain -- "The colony or province of Louisiana with the same extent as it now has in the hands of Spain and that it had when France possessed it and such as it should be after treaties subsequently entered into between Spain and other states". No mention, at the time, was made of West Florida but it soon became a question of vital importance. The wording of the treaty was contradictory in its assumption. Certain facts are clear, however; that Louisiana previous to 1763 when France possessed it, extended eastward to the Perdido River and included Mobile; that France ceded all her possessions east of the Mississippi and the island of New Orleans to Great Britain in the Treaty of 1763; that Spain ceded Florida to Great Britain in exchange for Havana and Cuba; that Great Britain organized that region bordering on the Gulf of Mexico, east of the Iberville River and of Lake

The University

The University of the Pacific is a private, non-profit, Christian university located in Stockton, California. It was founded in 1862 and is one of the oldest universities in the United States. The university is committed to providing a high-quality education and to serving the community. It offers a wide range of undergraduate and graduate programs in various fields of study. The university is also known for its strong emphasis on faith and service. The University of the Pacific is a member of the Association of Christian Colleges and Universities (ACCU) and the National Association of Independent Colleges and Universities (NAICU). The university is currently facing a number of challenges, including declining enrollment and financial difficulties. However, the university remains committed to its mission and to providing a high-quality education for its students.

Porchartrain into two governments - East Florida and West Florida, separated by the line of the Chattahoochee and Apachecola Rivers; that Spain owned again nothing east of the dividing line until 1783 when Great Britain ceded her both the Floridas.

Louisiana, therefore, "as it had been in the hands of Spain" could not be interpreted to include West Florida; but if the United States bought Louisiana with the extent that it had when France possessed it, she surely got a large part of West Florida. Spain considered the Floridas as distinct from Louisiana. That territory in her hands had extended from the Mississippi westward and constituted the territory, according to her understanding, which she had ceded to France in 1800. The land between the Iberville and the Perdido which she had received by cession from England in 1783, was a separately organized territory obtained by a wholly different title. That it was not a part of the cession of 1800 was understood by France as shown by the instructions issued by the French Minister of Marine on November 26, 1802, which stated that the boundary between "the state of his most Christian Majesty and those of his

Britanic Majesty should be irrevocably fixed by a line drawn down the middle of the Mississippi River from its source to the river Iberville and from there by a line drawn down the middle of that river and of Lakes Maurepas and Porchartrain to the sea. New Orleans and the island on which it stands still belongs to France. Such is still today the eastern limit of Louisiana. All the east and north of this limit marks part of the United States, or West Florida.^{1.}

That Livingston understood that they were not buying West Florida is apparent in his letters to Madison. He says, "I have every reason to believe that the Floridas are not included. They will, for the present at least, remain in the hands of Spain". Conversations with the Frenchmen Marbois, and Talleyrand seems to have had the effect of changing his attitude. In a later letter to Madison, after giving an account of his conversation with Talleyrand, he advises him to take possession to the river Perdido. He also points out that Great Britain may have designs upon West Florida and that if it is in the hands of the United States East

1. Henry Adams - History of the United States, II:6-7
Quoted from Instructions Secrètes, November 26, 1802. MSS.

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1.
Florida would be easy to obtain. The diplomats of the young republic apparently fell in with the methods of eighteenth century diplomacy. They made up their minds after signing the treaty that the sale included as much of West Florida as had at one time formed a part of French Louisiana. The letter of June 7, 1803, signed by Livingston and Monroe forwarding the ratification of the treaty says, "We are happy to have it in our power to assure you that on an examination of the subject we consider it incontrovertible that West Florida is comprised in the cession of Louisiana".^{2.} Jefferson and Madison needed no urging from Paris as to the desirability of claiming part of West Florida. They realized the domestic value of the territory more probably than their representatives in Europe and were determined to push their bargain to the uttermost. At separate times Livingston and Monroe had advised the administration to exchange part of the territory west of the Mississippi for the Floridas. Madison now warned them to entertain no proposition of the sort but to collect the proofs necessary to substantiate their claims

1. Chadwick - Relations of United States and Spain, I:66-70
2. State Papers II, June 7, 1803.

1.
to the Perdido.. Jefferson was ready to extend
the purchase to the Perdido "the ancient boundary
of Louisiana" and expected "all in good time" to
possess "the whole Florida region without sacrificing
one inch of the waters of the Mississippi".^{2.} He
even took pains to embody his views in a pamphlet
"The Limits and Bounds of Louisiana" which had
considerable effect upon public opinion and
determined the attitude of the administration and
its supporters.

1. American State Papers - Foreign Relations, II:627.

2. Letters of Jefferson - Ford - VIII:249.

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The Occupation of West Florida.

Leaving the diplomatic features out of the picture, the observer cannot fail to discern the elements of inevitability in the events which led to the extension of the dominion of the United States over Florida. We have seen that it was Florida rather than Louisiana that was in the minds of the statesmen during the negotiations which ended in the purchase of Louisiana. If the possession of Florida was desirable before, it now became essential to the well-being of the nation.

From a physiographic standpoint, a foreign sovereignty over the region was not to be considered. The streams afforded American settlers above the thirty-first parallel a Gulf outlet for their products and they had learned from experience that as long as Spain controlled these navigable rivers their commerce was imperilled. Because of its dominant position between the old and the new sections of the United States, in alien hands it might become a possible menace to American commerce.

The Composition of the Atmosphere

The atmosphere is a mixture of gases and vapors. The principal components are nitrogen, oxygen, carbon dioxide, and water vapor. The composition of the atmosphere varies slightly with altitude and location. At sea level, the atmosphere is composed of approximately 78% nitrogen, 21% oxygen, and 1% other gases and vapors. The concentration of water vapor is highest near the surface and decreases with altitude. The concentration of carbon dioxide is also highest near the surface and increases slightly with altitude. The concentration of oxygen is highest near the surface and decreases with altitude. The concentration of nitrogen is highest near the surface and decreases with altitude.

The atmosphere is a mixture of gases and vapors. The principal components are nitrogen, oxygen, carbon dioxide, and water vapor. The composition of the atmosphere varies slightly with altitude and location. At sea level, the atmosphere is composed of approximately 78% nitrogen, 21% oxygen, and 1% other gases and vapors. The concentration of water vapor is highest near the surface and decreases with altitude. The concentration of carbon dioxide is also highest near the surface and increases slightly with altitude. The concentration of oxygen is highest near the surface and decreases with altitude. The concentration of nitrogen is highest near the surface and decreases with altitude.

There was the danger, too, that it might be used by a foreign power in time of war as a base for military operations. Spain had shown her weakness in the Louisiana situation and could not be expected to maintain neutrality in any crisis. For the same reason it was to be feared that if the United States did not acquire the Floridas a country stronger than Spain might gain possession and from the standpoint of future peace and safety be much more undesirable as a neighbor.

The original French and Spanish population had been joined by British immigrants from the Carolinas after 1763. After 1783 there was another tide of settlers from Georgia and the Carolinas. These immigrants were for the most part men of character. Although no doubt many were British in their sympathies they naturally sided with the Americans rather than the Spaniards, and with the former made an English speaking community that developed into an insidious peril for the Spanish government. After the purchase of Louisiana, American filibusterers, outlaws from

justice, frontier adventurers, began to pour into West Florida. Furthermore, to the citizens north of the thirty-first parallel the exactions levied on their commerce, and the temptations afforded by a weak government at Baton Rouge were continual incentives to border quarrels. The inability of Spain to maintain order in her territory, the constant menace to the contiguous territory of the United States, the opportunity which West Florida offered to such political intrigue as that carried on by General Wilkinson and Aaron Burr, brought home forcibly to the American government the necessity of ending a state of affairs that promised to grow constantly more dangerous to the well-being of the country.¹

President Jefferson shared the western spirit in that he evidently felt that every river passing through Spanish territory should be controlled by America. In fact it was apparently to him such an obvious law of nature that he hardly considered the political significance. In accordance with this point

1. I.J. Cox. - The West Florida Controversy, Chapters IV. and V.

of view on November 30, 1803, a bill was introduced to carry into effect the laws of the United States within the new acquisition, and on February 24, 1804, it was signed by the President. The fourth section of the bill directed that "all the navigable waters, rivers, bays and inlets lying within the United States which empty into the Gulf of Mexico east of the Mississippi River shall be annexed to the Mississippi district". But if the Iberville was the eastern limit of the American territory, there were no such navigable waters. The eleventh section was more explicit. It authorized the President "whenever he shall deem it expedient to elect the shores, waters, and inlets of the bay and river of Mobile, and of other rivers, bays, and inlets emptying into the Gulf of Mexico east of said river Mobile into a separate district and to establish such places within the same as he shall deem expedient to be the port of entry for such district".^{1.} The two sections gave the bill its name,- The Mobile Act, and thus embodied the theories of Livingston, Monroe, and Jefferson in legislative action.

1. State Papers, II:583.

The Mobile Act seems to have been a diplomatic blunder. It raised the question of West Florida to one of international importance. The American government assumed that Louisiana extended eastward to the Perdido although Spain was in actual possession of the disputed territory. It is easy to understand the resentment of the Spanish minister. He protested to Madison, then Secretary of State, and the controversy that resulted had the effect of converting a friend of our government into an enemy, and of making Spain unwilling to accede to any overtures of the United States to settle the matter on the basis of purchase. Furthermore, it gave Spain an opportunity to refuse to ratify the Spanish claims convention of 1802 unless the Mobile Act was revoked. The Act was modified later by the President's proclamation of May 30, 1804, which declared "the shores, waters, inlets, creeks, lying within the United States' boundaries, a customs district with Fort Stoddert, (which was just above the thirty-first parallel) as the port of entry.

1. American State Papers, II:575.

The article also states that the
 diplomatic mission. It stated the mission of the
 mission as one of international importance. The
 mission government assumed that the mission extended
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 in proposed in Mexico, then Secretary of State, and
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 and of making the mission as a basis to the gov-
 ernment of the United States in order to the mission of
 the basis of purchase. Furthermore, it gave Spain an
 opportunity to return to Spain the Spanish mission
 possession of that which the mission had been received.
 The act was modified later by the President's approval
 mission of law of 1804, which defined the mission,
return, Alaska, Oregon, Idaho, Utah and United States
possessions, a mission territory, with four districts.
 (which was then made the subject of the mission) in
 the case of Spain.

We can thus understand that when Monroe arrived at Madrid on his special mission of adding the Floridas to his Louisiana success he was decidedly disappointed. The Louisiana Purchase had emphasized the value of the Floridas to Spain. Any more ambitious attempts of the United States at her expense could be neutralized if she continued to possess the Floridas. The attitude of Spain, moreover, depended largely upon her ups and downs in the European situation and at that time she had the backing of France. The Spanish government, faced with the necessity of yielding to American encroachments or of becoming even more subservient to France, chose the latter alternative.

The influence of Napoleon could be felt in the policy of Spain, but Napoleon had his own axe to grind. If the boundary controversy should result in war between Spain and the United States, the latter country might form an alliance with Great Britain, and that country as mistress of the seas could cut Spain off from her productive colonies. This was of first importance to Napoleon for he would then be cut off

The first objective of the
 present report is to provide a
 summary of the findings of the
 study conducted in the field of
 the subject. The findings are
 presented in the form of a
 series of tables and graphs
 which are intended to illustrate
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 is hoped that these results
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from the secret subsidy which he exacted from Spain. Accordingly, he bade Talleyrand instruct the French minister, Turreau, at Washington, to act with the Spanish minister in preventing hostilities but also in curbing the territorial pretensions of the Americans. If war did break out he did not doubt that America would be willing to pay the price for the Floridas, which he as master of France would demand. 1.

Pinckney having failed to bargain with the Spanish government, Monroe was ordered to Madrid October 25, 1804, with instructions that if Spain refused to cede the territory east of the Perdido, and should require as indispensable to an acknowledgment of the American title to West Florida a guarantee by the United States that their claims should not go west of the Colorado River, the negotiators after reasonable endeavors to effect their object, were to agree to the proposed western boundary limit and to obtain the rest of the Floridas for a money consideration. He was also to arrange for the settlement of claims covered by the convention of 1802. 2.

1. Henry Adams-History of United States, II:294,295.

2. American State Papers, II:631,636,639.

From the report which was made to the
 committee, it was learned that the
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He and Pinckney continued from January to May, 1805, in their efforts to negotiate. But the powerful influence of Talleyrand was exerted to defeat their object. He instructed Turreau, the French minister at Washington, as follows: "Only in case the United States should desist from their unjust pretensions to West Florida and return to forms of civility and decorum could the emperor allow himself to second at the court of Madrid the project of the acquisition of the two Floridas"¹. Napoleon had determined that the United States must pay a good sum for Florida and that the money should be for the benefit of France. So the American diplomats were unable to come to an agreement on any point and Monroe took formal leave of Madrid.

The student who attempts to follow the diplomacy of Jefferson at this time travels a rather tortuous course. At one time he favored independent action against Spain.² This was followed by the suggestion that if England should prove easier to deal with than France the United

1. Henry Adams - History of United States, II:312.

2. P.L. Ford - Writings of Jefferson, IX:134,140,195.

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States might take advantage of Napoleon's campaign in Spain "to seize our own limits of Louisiana and the residue of the Floridas as reprisals for spoils".^{1.}

The following year he was inclined to seek the aid of Napoleon in the matter.^{2.} When he resigned the presidency he seems to have felt confident that his successor, Madison, would secure not only the Floridas but also Cuba by the voluntary offer of their inhabitants. This report seems to have irritated the French minister and Madison made haste to assure him that "that was Mr. Jefferson's hobby and had never been the wish of his cabinet; and Mr. Madison values today the possession of the Floridas only so far as they may be thought indispensable to prevent every kind of misunderstanding with Spain and secure an outlet for the produce of our southern states."^{3.}

In 1808 as a result of the overthrow of the Spanish government by Napoleon, diplomatic relations between the United States and Spain were

1. P.L.Ford - Writings of Jefferson, IX:203

2. Ibid: 251.

3. Henry Adams - History of United States, V:37,38.

suspended. Don Luis de Onis, the Spanish minister, was given no official recognition. Because of this the situation in Florida continued unchanged until 1810 when the course of events showed that the desired results might be brought about by the people of the region - the western frontiersmen were ready to redress the balance.

The first of these events was the insurrection in West Florida. Taking advantage of the situation in Spain, and, no doubt, carrying on the revolutionary spirit of the South American colonies, a party of West Floridans in the section between the Mississippi and the Pearl Rivers, took possession of the fort at Baton Rouge and declared a free and independent government. Their next move was to offer to turn the territory over to the United States for substantial considerations. Their evident aim was to force the United States to intervene so as to maintain order in the territory as well as to satisfy their desire for territorial expansion. It was this intervention that brought the revolting region into the union and ultimately led to the acquisition of the rest of Florida.

The governor of Mississippi had communicated with the Secretary of State in regard to the condition of anarchy in West Florida and its menace to the contiguous territory. In Madison's advice to his secretary as to the answer to this, Governor Holmes was to keep a "watchful eye" on West Florida and report conditions to Washington. Furthermore, he was to have his militia ready to protect the interests of the United States in case of foreign intervention or "internal convulsions" "by every means within the limit of executive authority"¹.

These communications of the governor of Mississippi, however, apparently placed President Madison in a quandry. Although for several years he had maintained that the territory belonged to the United States, he doubted his executive authority to act. There was present the ever recurring boggy in Madison's mind of British intervention which acquired an additional significance by British seizure of American ships, her insistence of the right of search

1. Hunt - Writings of Madison, VIII:105.

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even in American waters, and particularly the Chesapeake affair. The British subjects in West Florida had identified their interests with those of the Americans, but in the event of war the case might be different. In Madison's imagination was the fear that the "successful party" might appeal to Great Britain, the result of which might result in a "quadrangle contest" in which Great Britain, France, and Spain, would forget their own quarrels in order to make common cause against the upstart republic of the West.^{1.} Accordingly, after receiving from Governor Holmes a copy of the West Florida Declaration of Independence with an explanatory letter addressed by its president to the Secretary of State, he issued a proclamation October 27, 1810, directing Governor Claiborne of Orleans to take immediate possession of that section and to govern it as part of his own territory, with the understanding "that in the hands of the United States it will not cease to be a subject of fair and friendly negotiation and adjustment."^{2.}

1. Hunt - Writings of Madison, VIII:109.

2. Ibid. VIII:116

The first of these is the fact that the
 Government has not yet decided upon a
 definite policy in regard to the
 question of the admission of
 Chinese immigrants. It is
 well known that the Chinese
 population in the United States
 has increased rapidly in
 recent years, and it is
 generally believed that
 this increase has been
 due to the fact that
 the Chinese are
 permitted to enter
 the country in
 large numbers.
 It is therefore
 not surprising
 that the
 Government
 should be
 called upon
 to consider
 the question
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 of Chinese
 immigrants.
 It is
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A month later Governors Claiborne and Holmes were planning how to carry out these instructions. The faction which appeared to be in favor of making terms with the United States in regard to amnesty to refugees and land titles had obtained temporary control, secured the adoption of a constitution, and organized a form of government. The majority of the people, however, were anxious for the establishment of the authority of the United States. The Spanish governor reinforced Madison's action by writing from Mobile to the Secretary of State that he had decided "on delivering this province to the United States under an equitable capitulation, provided I do not receive succor from Havana or Vera Cruz during the present month.....The incomprehensible abandonment in which I see myself, and the afflicted situation to which the province sees itself reduced,.....force me to have recourse to this determination"¹.

By using unusually tactful methods Holmes and Claiborne succeeded in inducing all except a few to agree to the American program. Thus West Florida in the words of Governor Holmes "willingly

1. American State Papers, III:396,397.

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exchanged a system of government which peculiar circumstances had induced them to adopt for that of the United States.....an event most desirable to the great body of citizens"^{1.} Thus the claims of the United States to this territory were expeditiously, although perhaps ruthlessly, made good.

In the meantime the revolution in Spain against the regime of Napoleon, together with the shifting condition of European politics, had made Great Britain an ally of Spain. The British minister at Washington, urged by De Onis - who realized that the possessions of his country in America were passing out of her hands - addressed a formal protest to the Secretary of State stating "that such are the ties by which his Britannic majesty is bound to Spain that he cannot see with indifference any attack upon her interests in America"^{2.} The tone of his note at this time, when Great Britain was carrying out her high-handed policy with American commerce, was particularly galling to the American government and was felt to reflect the attitude of the government of that country

1. McMaster - History of United States, III:372.

2. American State Papers, III:399.

toward the United States. Morier, the British minister, and De Onis had both advised warlike measures to protect the interests of their respective governments in the West Indies. The former advised his government to occupy Mobile jointly with Spain in case of war with the United States.

The Secretary of State refused to discuss the situation with the British minister before it was presented to Congress. Although the administration considered Spain the only country concerned, Great Britain as an ally of Spain had to be reckoned with and Madison instructed Pinckney to inform the British government that the proclamation in regard to West Florida was within executive authority and justified by the condition of the country. He was also to add that Congress would probably not permit East Florida to pass into the control of any other power than Spain.

Madison's instructions to Armstrong, the minister to France, were equally curt. France was warned that it would be unwise for her to protest or to provoke resentment. The American charge at Paris

was to inform the French cabinet that his government was willing to discuss the claims with other nations and suggested that France encourage the independence of the Spanish colonies.

It was Napoleon's strategy at this time to bring about a commercial alliance with the United States by affecting a benevolent interest. Accordingly, the French minister at Washington was instructed that Napoleon would not oppose the American occupation of the Floridas nor the independence of the Spanish colonies. Secretary Smith's explanation to Turreau, the French charge, that the administration acted to keep Great Britain out of Mobile and Pensacola, could no doubt be upheld, but when he assured him that the administration knew nothing about the intrigue carried on by the agents of Claiborne and Holmes he was stating that which was not in accordance with facts. The reports of Claiborne and Holmes had guided Madison in his policy.^{1.} A good diplomat is supposed to lie abroad in the interests of his government at home, but Smith was lying at home to promote the interests of his

1. I.J.Cox - The West Florida Controversy, Chapters XIII.-XIV., XV.

The following are the results of the investigation
conducted by the committee on the subject of
the proposed changes in the organization
of the State government.

THE PROPOSED CHANGES

The committee has the honor to acknowledge the
kindness of the various officials and
citizens who have assisted it in its
work. The committee has also the honor
to acknowledge the assistance of the
various departments of the State
government in the collection of
the necessary data for the
preparation of this report.

THE PRESENT ORGANIZATION

The present organization of the State
government is based on the
principles of the Constitution
and the various laws enacted
thereunder. The various
departments of the State
government are organized
in accordance with the
principles of the
Constitution and the
various laws enacted
thereunder.

country abroad.

Madison had to face considerable adverse public opinion as well as opposition in the Senate. The Federal papers attacked his course as unconstitutional. He was charged with taking advantage of the weakness of Spain to seize her territory. In his message to Congress Madison laid down this principle of American foreign policy as his defense: "The United States could not see without disquietude any part of a neighboring territory in which they have in different respects so deep and so just a concern pass from the hands of Spain into that of any other foreign power"¹. He expressed his conviction that Congress would take the same view and incorporate the territory with the Union.

There was sufficient possibility of British intervention in Florida to give point to Madison's fears. Morier, the British minister, had acted with De Onis in advising warlike measures to protect the interests of their respective governments in the West Indies. The British minister advised his government to occupy Mobile jointly with Spain in case

1. Richardson - Messages, I:488

of war with the United States. On January 3, 1811, Madison sent a secret message to Congress recommending that the executive be authorized to take temporary possession of any part of Florida under certain conditions. Accordingly, Congress in secret session passed an act authorizing the President to take possession of any part of the Floridas in case local authorities should consent or foreign power should attempt to occupy it. Two commissioners were sent with instructions from Secretary Monroe that if the local authorities were in favor of surrender, the territory was to be accepted with engagement of redelivery to lawful sovereignty if that should be insisted upon. "Measures for defense were to be taken in case of actual appearance of any attempt to take possession by foreign powers". Any stipulations in regard to redelivery were not to impair the title of the United States to the country west of the Perdido.^{1.}

The commissioners repaired to the Georgian frontier. The conditions which they found seemed to warrant prompt action. Amelia Island, just within the Florida line, was full of British smuggling

1. American State Papers, III:571,572.

of the United States. On January 1, 1911,
 the United States entered into a treaty with
 Mexico which provided for the extradition of
 fugitives from justice. This treaty was
 the result of a long and difficult
 negotiation. The United States had
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The negotiations regarding the
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 United States had long been
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 The Mexican Government had long
 refused to extradite fugitives from
 justice to the United States.

vessels. The town of Fernandina was the center of a smuggling trade carried on by connivance of Spanish authorities. Matthews, one of the commissioners, when he found that quiet possession was not to be obtained, recommended to Madison that force be used, that the people of East Florida be encouraged to revolt, declare their independence, and bring the province over to the United States. He advised the President to send military aid to the commandant at St. Mary's and he would see that it was made effective without committing the United States government. Madison's silence he interpreted to mean consent and proceeded with the help of a United States marshal to organize a band of adventurers. Backed by American gunboats stationed in the St. Mary's River to enforce the non-importation acts then in force, they seized Fernandine and took possession of Amelia Island. This "patriot" army with a detachment of American troops then set off with the purpose of capturing St. Augustine.

When Madison heard what had taken place he recalled Matthews, stated that it was not "the policy of the law nor purpose of the executive to wrest the

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province forcibly from Spain". The governor of Georgia was placed in charge with instructions that if there were no prospect of foreign troops he was to restore Amelia Island to Spain. The small support given to the revolt by the inhabitants no doubt influenced Madison's decision. There was no change made in the situation, however, and the United States continued to maintain the occupation of Fernandina until May, 1813.

In the meantime, in anticipation of the war with Great Britain, means were taken to settle the fate of West Florida. The territory between the Mississippi and Pearl Rivers was annexed to the new state of Louisiana; that between the Pearl and the Mobile district was made a part of the territory of Mississippi. These acts could have been reasonably interpreted by Spain as an act of war. The Spanish flag at that time was still flying at Mobile.

On June 12, 1812, the United States had declared war on Great Britain and recognizing the probability of the occupation of Florida by the enemy, a bill was introduced into Congress authorizing the President

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to establish a government over the whole of the Floridas. It passed the House but was defeated in the Senate by the enemies of the administration.

Florida During the War of 1812.

During the War of 1812 Florida was the scene of hostilities between the British and American forces. As had been foreseen by the administration on July 23, 1814, Pensacola and Fort Barrancas were occupied by a British force. The officer in command, Colonel Nichols, influenced apparently by reports of the unsettled condition in the surrounding country, issued a proclamation calling for volunteers to make war upon the United States. The British flag was hoisted along with the Spanish flags over the captured forts and Pensacola was made the center of distribution of arms to the warlike Indians. The aim of the British was the forcible return to Spain of the Gulf territory including Louisiana and New Orleans. The commanders were instructed to discourage any propaganda of the inhabitants to place themselves under the dominion of Great Britain, but to direct them to return to the

to establish a permanent court of the
British. It should be done but was delayed
in the course of the execution.

British in the East of 1812.

Under the Act of 1812 British and the
views of localities between the British and
forces. It was then decided by the authorities
that the British and their possessions were to
remain as a British force. The other in common.
General British, increased especially by reports
of the minister committee in the American country.
I have a special committee called for assistance to
see how the United States. The British that was
related along with the British flag over the
force and resources was with the center of distribution
of arms to the British Indian. The aim of the British
was the British to be in the hands of the British
including military and naval forces. The committee
was intended to investigate and proposals of the
conditions in place throughout under the British in
Great Britain. It is clear that to return to the

1. Spanish crown. Behind this policy of Great Britain can be seen her trade interests. She had developed at that time an extensive trade with the Spanish provinces in South America, and Louisiana offered a promising field for the extension of her commerce if it were in the hands of Spain but as American territory the prospects were not as promising.

In the meantime Andrew Jackson, then governor of Tennessee, had been sent to quell the rebellious Creek Indians. After a crushing defeat of the tribes at Horseshoe Bend he had concluded a treaty by which the greater part of their lands were ceded to the United States. Having been made major-general, in command of the military department of the South, when the news reached him of the landing of an English force at Pensacola he resolved to put the theories of the administration into action. The English had taken the aggressive and sailed from Pensacola to Mobile. Jackson led his victorious forces to Mobile, repulsed the British force which sailed back to Pensacola. After receiving reinforcements he marched across the country and appeared before

The first of these is the fact that the
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 It is necessary to
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Pensacola. The British abdicated the forts and Jackson followed up his demand upon the Spanish governor for surrender by an assault that forced capitulation. Less than a week later he was at Mobile.

Previous to his expedition against Pensacola, Secretary Monroe had written to Jackson warning him against any action that would precipitate war with Spain. But the communication did not reach him until after his military acts had taken place. We can safely infer, nevertheless, that Jackson would have acted on his own judgment and inclinations rather than the wavering policy of the administration. He passed by leisurely stages to New Orleans where took place the battle that won him an enduring place among the heroes of American history.

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Jackson's Invasion of East Florida.

The end of the war did not mark the end of English influence in Florida. English officers lingered in the country after peace had been declared. Colonel Nichols, without the official approval of his government, took up the cause of the Creek Indians and demanded in their name the surrender of the lands which they had ceded to the United States. He went so far as to build a fort on the Apalachicola River in which he stored ammunition and guns. After his departure for England this fort was seized by a number of fugitive negro slaves from Georgia who made it the center of raids upon the frontier of Georgia. Jackson, acting under the directions of the Secretary of War, called the attention of the Spanish governor at Pensacola to what was going on and warned him that if action was not immediately taken the United States would be compelled in self-defense to act.¹ The governor was either unwilling or unable to act and Jackson resolved to take the matter into his own hands. He wrote to General Gaines, who, under Jackson, was in charge of the maintenance of order in that district, that this

1. American State Papers, IV:556.

Jackson to Governor Zunia, April 23, 1816.

Labrador a Province of Great Britain.

The act of the 25th of the year 1774
of British subjects in the island of
located in the country of that name had been declared
whereby the said act the said act of the year 1774
and demanded in their case the surrender of the land
which they had ceded to the United States. It was
to be so to hold a town in the Province of New
to which an order was issued and given. After the
declaration for England, the town was seized by a party
of private persons who were then declared to be the
order of which was the Province of Georgia. The
order under the direction of the Secretary of War
called the attention of the British Governor at London
to the fact that the said town had been seized and
was not immediately sent to the United States which he
proceeded to inform in all. The Governor was
also advised by the said act and the Governor received
to send the matter into his own hands. He wrote to
General Mifflin, the said Governor, was in charge of
the maintenance of order in that district, and this

fort should be destroyed. The blowing up of the fort in which were nearly three hundred men, women, and children, all of whom met a horrible death is an example of the barbarity of border warfare at that time.

This was the opening act in the second invasion of Florida by Jackson. Meanwhile the Seminole Indians in revenge for the loss of their lands, were on the war path. Joined by escaped negroes they attacked the frontier settlements. The burning of an Indian village by a body of troops sent by General Gaines and the seizure of the chief brought on the Seminole War.

The War Department had been dealing with a filibustering situation on Amelia Island with which the powerless condition of the Spanish government was unable to cope. A naval force had been sent there, together with a detachment of troops, and on December 17, 1817, the filibustering adventurers made up of Americans, English and Irish sailors on the one side, and brigand negroes on the other, were forced to surrender, and the American flag was hoisted. As

that should be destroyed. The finding of the
 that in which were really those found and who
 the children, all of whom had a terrible death in
 of animals in the department of public welfare at
 that time.

There was the question as to the amount
 of children of which in the case, because in the
 children, children in trouble for the fact of their
 year of the war with, which by escaped, perhaps
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 an other officer by a body of troops sent by
 General Taylor and the nature of the chief of

on the Pacific side.
 The investigation had been dealing
 with a situation on the Pacific side which
 which the general condition of the Pacific coast
 and was unable to cope. A great force had been sent
 there, but with a detachment of troops, and in
 December 17, 1817, the following circumstances
 as of American, English and Latin efforts on the one
 side, and before anyone on the other, were forced
 to surrender, and the mission of the was halted.

soon as the news of the Indian outbreak reached Washington, Jackson was ordered to take command in person and carry the war to a conclusion. But before the orders reached him Jackson had sent a letter to Monroe, then President, urging the seizure of the whole of East Florida to be "held as an indemnity for the outrages of Spain". He concluded his letter by asserting "Let it be signified to me through any channel (say Mr. J. Rhea) that the possession of Florida would be desirable by the United States and in sixty days it will be accomplished".^{1.} What reply was made to this letter will probably never be known. President Monroe's explanation was that it had been received during an attack of illness and that he did not even read it until after the war was ended. Jackson, on the other hand, maintained that he received from President Monroe through Mr. Rhea (the Congressman from Tennessee) an approval of his plans. Be that as it may, Jackson crossed the border and appeared with Captain McKeeber, who cooperated with him by sea, before St. Marks which was his first point of attack. He entered the town, hauled down the Spanish

1. Chadwick - Relations of United States and Spain, I:128.

flag, and raised the Stars and Stripes. Incidentally, he took pains to inform the Spanish commander that all this was necessary as long as trouble with the Indians lasted. After destroying Indian strongholds and capturing important posts in northern Florida, he returned to St. Marks with two English prisoners, - Arbuthnot and Ambrister - whom he executed, after trial by courtmartial for complicity in inciting the Indians against the Americans. With his correspondence describing the taking of St. Marks, Jackson enclosed documents showing that the Spanish commander was aiding the Indian enemies of the United States by supplying them with ammunition while at the same time professing friendship.^{1.}

Jackson now received word that some hostile Indians were being harbored at Pensacola. He set off for the West Florida capital, paying no attention to the protests from the Spanish governor against his invasion of the territory of Spain. Pensacola fell into his hands as easily as St. Marks. After receiving the surrender of the Spanish governor

1. Jackson's Report, American State Papers, Military Affairs, I:702.

and troops, Jackson agreed to provide for their transportation to Havana at the expense of the United States. After organizing the district as an American province he recrossed the border confident that what he had done would bring Spain to terms.

But even Jackson could hardly have been prepared for the storm of criticism that followed his Florida expedition. There was consternation in official circles in Washington where war with England and Spain was feared as a result. While the people at large applauded Jackson, he was the target of abuse in Congress and his head was demanded by the European powers. As might be expected there was violent protest in England over the execution of two British subjects, and as Castlereagh remarked to the American minister "the turn of a finger might have brought on war". But the British cabinet disavowed the conduct of the traders and the affair was dismissed as not of sufficient importance to warrant interference.

With the restoration of the monarch and renewal of diplomatic relations with Spain in 1815, our minister again offered to purchase Florida. But the Spanish government which which he had to deal was based on absolutism, and no progress was made. At Washington ^{de} Onis, the Spanish minister, assumed that negotiations would begin where they left off before the revolution in Spain. He, therefore, demanded the return of West Florida. He called attention to the American privateers that had been fitted out to aid the revolting provinces in South America and the damage of such procedure to Spain. Baltimore and Charleston had been the centers of trade with American vessels sailing under the flags of the new provinces. John Quincy Adams states in his memoirs, "The misfortune is not that this has spread over a large portion of merchants and population of Baltimore, but that it has infected almost every officer of the United States in the place." After naming the Postmaster and the son of the District Attorney he says, "They are all fanatics of the South American causeThe District Judge, Houston, and the Circuit Judge, Duval, are both

inefficient men over whom William Pinckney, employed by the pirates as their counsel, domineers like a slave driver over his negroes.....The political condition of Baltimore is as rotten as corruption can make it".^{1.}

In the correspondence which took place the American Secretary of State, on the other hand, was able to present reports from United States officers showing that a number of captured vessels had been restored to their owners and that in other cases violation of neutrality

The demands of Spain, as presented by de Onis, included the delivery of the contested territory - West Florida - to Spain before that power would consider the western boundary which Adams was anxious to settle. The internal dissensions which so profoundly affected Spanish history after 1808, the influence of her varying fortunes in South America and Mexico, must be considered in any attempt to understand her motives and policies. A very close connection existed between affairs in Europe and the protracted negotiations for a treaty.

1. Memoirs of John Quincy Adams, IV:318,319.

in the same way, we have seen in the history of the world, that the progress of the human mind is not a straight line, but a zig-zag line, with many a backward step, and many a period of stagnation. The progress of the human mind is not a straight line, but a zig-zag line, with many a backward step, and many a period of stagnation.

In the correspondence with the various nations of the world, we have seen that the progress of the human mind is not a straight line, but a zig-zag line, with many a backward step, and many a period of stagnation. The progress of the human mind is not a straight line, but a zig-zag line, with many a backward step, and many a period of stagnation.

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A political upheaval at this time brought in a change of ministry and our government was surprised with an offer to exchange Florida for Louisiana. But the time for such a proposition had gone by. John Quincy Adams was a well-equipped, able, Secretary of State, and his policy was to hold on to Louisiana with the Rio Grande as its western boundary, and to maintain the American claim to West Florida. On January 16, 1818, he proposed to de Onis that "Spain cede all the territory east of the Mississippi, leave the western boundary unsettled for further arrangement; or, make Colorado to its source the boundary, and thence to the northern limits of Louisiana; the claims of both nations to be arbitrated; Florida lands east of the Perdido to be answerable for such claims. No Spanish land grants in Florida subsequent to August, 1812, were to be valid. Spain was to be relieved from all^{1.} debts to the United States. Negotiations promised success when the news of Jackson's invasion of Florida interrupted friendly diplomacy.

1. American State Papers, IV:484.

A political movement of this kind would be a
 change of history and the Government has decided
 upon an offer to exchange Florida for Louisiana.
 The Florida Territory was purchased from Spain by
 John Jay's treaty and was transferred to the
 Secretary of State, and his office was to hold the
 the Louisiana with the 31st March as its western
 boundary, and to deliver the western title to
 West Florida, in a treaty of 1810, the project of
 as this was "Spain's side of the territory east of
 the Mississippi, from the western boundary west-
 ward for further westward; or, were allowed to
 the entire territory, and those in the northern
 limit of Louisiana; the claim of both parties in
 be satisfied; Florida lands east of the Florida
 be a territory for such claims. The Florida land
 treaty in Florida independent of Spain, 1812, were
 to be valid. Spain was to be retained from all
 claims to the 31st March. The territory (Florida)
 success when the name of Jackson's invasion of Florida
 transferred Florida territory.

The Spanish note of July 18, 1818, summed up the military acts of Jackson against Spain, defended the Spanish government against the charge of aiding and encouraging the hostile Indians, demanded the restoration of the territory seized, indemnity, and the prompt punishment of Jackson. The timorous Monroe and his cabinet, with the exception of Adams, were in favor of repudiating Jackson and indemnifying Spain, but John Quincy Adams proved to be a strong defendant. He insisted that the necessities of the case amply justified Jackson's proceedings. His reply to Spain ended thus: "I am instructed to inform you that Pensacola will be restored to the possession of any person duly authorized by Spain to receive it, that the fort of St. Markscan be surrendered only to a force sufficiently strong to hold it against the attack of hostile Indians, and upon the appearance of which force it will also be restored.The preservation of peace between the two nations requires that henceforth the stipulations of Spain to restrain by force her Indians from all hostility against the United States should be faithfully and effectually fulfilled."

1.

The British note of 17th July 1918.

...in the military zone of London against
 their interests the British Government against
 the course of which was recorded in the British
 letter, described the cooperation of the British
 subject, however, and the present position of
 London. The British note and his answer, with
 the exception of those, were in favor of industrial
 interests and administrative bodies, but also in
 favor of being very satisfied. He insisted that
 the objectives of the case were fully justified
 provisions. His reply to British note was
 intended to inform you that London will be
 referred to the discussion of my letter this evening
 and will be received in the form of 20.000
 ... can be understood only in a more substantial
 attempt to help to reduce the state of hostilities
 between, and even the acceptance of which force is
 still also be required. ... the discussion of
 points between the two nations remains the same
 form the adjustment of which is required by force
 but which from all existing sources the British
 interest should be fulfilled and administered.

When this note of Adams reached Madrid the American minister there was notified that Spain would end all negotiations until amends were made for Jackson's action. This note, which was virtually a threat of war, was replied to by Adams in a state paper that is among the ablest ever sent out from that department. It reviewed in detail the grievances of the United States against Spain, - the repeated breaches of neutrality, outrages committed by Indians, fugitive slaves and outlaws who found sanctuary in Spain's dominions, her failure to fulfill her treaty obligations. He declared that Jackson would not be punished for conduct the motives of which "were founded in purest patriotism". The Spanish government was further informed that if it were necessary for the United States to take possession again of the Spanish forts in Florida a surrender of them must not be expected.^{1.}

As has been mentioned, Spain refused the American offer to buy Florida in 1815. Behind the pretentious demands of Spain at that time the backing of England was suspected. In the light of

her military operations in Florida during the War of 1812, this was probably natural. When the failure to come to a diplomatic settlement betokened war between Spain and the United States, the British minister offered his services as mediator. As Great Britain showed no inclination to help Spain out of her difficulties, President Madison refused to be alarmed by rumors of British machinations. Neither was the new Bourbon government of France encouraging when appealed to by the Spanish ambassador at Paris for an opinion on the interpretation of the disputed article in the Treaty of San Ildefonso. The opinion was withheld, but advice was given to reach a settlement after the rights of each concerned had been arrived at through discussion. Spain was seemingly abandoned by both England and France.

the allied operations in North Africa the day of
 1942, this was probably natural. When the letters to
 were to a significant extent forwarded and returned
 from and the United States, the British Minister
 ordered the British to withdraw. As Great Britain
 should be considered to help Spain out of her
 financial, financial situation should be allowed
 to remain in order to avoid a situation. Britain was the
 main source of support at French headquarters and
 requested by the British Minister at this time for
 in order to the information of the British
 Ministry in the Treaty of the League. The opinion
 was withheld, but advice was given to reach a better
 and after the first of each month of the year
 arrived at through discussion. Again and again
 abandoned by both sides of the League.

Final Negotiations.

The arguments of Adams in the light of the situation in Florida must have made clear to Spain her inability to maintain an efficient government in the province. The Spanish ministry consequently recognized the wisdom of giving up Florida on the best terms that could be gained. The King empowered the Spanish minister to part with Florida and settle the boundary of Texas. The final negotiations, therefore, were more concerned with the western boundary. The Spanish provinces in South America and the commercial relations between them and the United States were an important factor in the discussions. For months Adams and the Spanish minister contended over the question whether the Rio Grande, the Colorado, the Sabine, or some more easterly boundary should be adopted as the western boundary of the United States. Considerable credit should be given to De Neuville, the French minister, as an intermediary in bringing about the final agreement. Adams was unwilling to give up Texas, but finally yielded to pressure from Monroe and others and accepted the Sabine River as the boundary. The

Final Negotiations

The arguments of France in the light of
the situation in Florida were very clear to both
our inability to maintain an efficient government in
the province. The British military administration
sided the state of Florida on the part of
that could be gained. The British proposed the British
minister to visit with Florida and take the necessary
of France. The final negotiations, therefore, were
more conducted with the western countries. The British
proposed a south western and the commercial relations
between them and the United States were in important
factor in the discussion. For in this sense and the
British minister wanted was the question whether
the Rio Grande, the Colorado, the Rio, or some
other nearby boundary should be adopted as the western
boundary of the United States. Considerable credit
should be given to the British, the French minister,
as an intermediary in bringing about the final agreement.
After the war had been given as France, but
British minister to transfer French territory and states
and recognized the same as the boundary. The

policy of Adams is stated in his memoirs: "In all negotiations conducted by me while Secretary of State whenever anything was conceded, it was by direction of the President especially so in the negotiations of the Florida treaty.^{1.}

The loss of Texas which was so harshly criticized in Congress was, therefore, due to Monroe and his cabinet, not to any weakness on the part of John Quincy Adams.

The treaty was finally signed on February 23, 1819. Article II. provided : "His Catholic Majesty cedes to the United States in full property and sovereignty all the territories which belong to him east of the Mississippi River known by the name of East and West Florida". The clause "which belong to him" is significant as being suggested by Adams as open to an interpretation which would save the contentions of both nations.^{2.}

Article III. established the boundary between the United States and the Spanish possessions on the West by a line from the Gulf of Mexico along the

1. Memoirs, VIII:186.

2. Ibid, IV:218

western bank of the Sabine River to the thirty-second degree of latitude. It then zigzagged by rivers and parallels to the forty-second parallel^{1.} and thence to the Pacific Ocean. It thus created the first international boundary that touched the Pacific. In addition to the transfer of territory the United States agreed to take over the claims of American citizens to the amount of five million dollars.

The ratification of the treaty passed the Senate with only six dissenting votes; but Spain delayed official action for two years on various pretexts, but really because the King wished to prevent the United States from recognizing the independence of the South American provinces which he knew would follow the ratification of the treaty.

1. Malloy - Treaties and Conventions, II:1651.

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Conclusions

The diplomacy of the acquisition of Florida does not reflect credit on the history of our foreign relations. It may be argued that it prevented an open war with Spain. But it seems evident that it was the manifest weakness of Spain and her warranted distrust of Great Britain that prevented her joining that country openly in the War of 1812. The United States, no doubt, profited by the helplessness of Spain as a tool in the hands of her European allies, and it was only when abandoned by those allies and torn by revolution that she was forced to comply with the terms of the Treaty of 1819. Neither can we argue that it hastened what was already foreordained when the American settler crossed over the mountains. Time and the law of natural selection were in his favor. It is obvious that he would have brought about the union of the Floridas with the United States as he later brought about the annexation of Texas. His methods may have been as open to criticism; but they would have been more defensible than the blunder-diplomacy of the statesmen.

Conclusion

The difficulty of the negotiation of Florida does not rest chiefly on the history of our foreign relations. It may be argued that it presented an open case with Spain, but it seems evident that it was the earliest western of Spain and not a territory of Great Britain that presented for joining that a treaty signed in the year of 1819. The United States, on the other hand, by the helplessness of Spain as a tool in the hands of our European allies, and it was not when abandoned by those allies and torn by revolution that she was forced to comply with the terms of the Treaty of 1819. It is true that it happened when she was already forgotten when the American people crossed over the mountains. This and the law of natural relations were in his favor. It is obvious that he would have brought about the union of the Florida with the United States as he later thought about the annexation of Texas. His methods may have been as open as criticism and they will have been more defensible than the manner of history of the annexation.

SUMMARY

During the critical period that followed the Revolutionary War Spain cherished the hope that fortune would throw the valley of the Mississippi and the Gulf coast into her hands. She had obtained Louisiana from France in 1763 and England had ceded her Florida in the treaty of Paris. She also held tenaciously to the navigation of the Mississippi which made it possible for her to control not only the mouth of that river but the Gulf of Mexico.

This situation caused such dissatisfaction among the frontier settlers that plans were considered for a separation from the East. Spain hoped that the development of this feeling would result in the annexation of these prosperous settlements, and hired agitators to spread favorable propaganda among the people. She also used the Indians so as to make life so dangerous for the Americans that they would place themselves under her protection.

The United States realized the need of diplomatic action and Thomas Pinckney, our minister to Madrid, was instructed to make a treaty, if possible. The Spanish minister was willing to meet him half-way partly because he feared the effect of the Jay treaty between the United States and England, and on October 27, 1795, an agreement was signed at Madrid which settled the boundary of West Florida at the thirty-first degree of latitude and gave the Americans the "right of deposit" at New Orleans. The latter satisfied the demands of the western people for the time.

France had never been reconciled to the loss of Louisiana and under the strong regime of Napoleon it was planned to re-establish the French Empire in the western world. After a weak resistance Spain in 1800 signed the treaty of San Ildefonso "retroceding" Louisiana to Spain. The terms of the treaty were to be kept secret, but rumors of the cession, which was supposed to include Florida, leaked out. President Jefferson was strongly opposed to French occupation and instructed Livingston, our representative at Paris, to act with James Monroe in negotiating for the purchase of Florida and New Orleans. The course of events, however, made Napoleon anxious to dispose of Louisiana. Monroe and Livingston therefore signed the treaty which transferred to the United States the territory of Louisiana "with the same limits that it had when ceded by Spain to France", for the sum of fifteen million dollars.

The fact that the Louisiana purchase did not define the boundaries of the territory resulted in many years of controversy between the United States and Spain. The Spanish government maintained that Napoleon had agreed not to alienate Louisiana, and that West Florida was not included in the cession. The United States, on the other hand, claimed the Perdido River as the eastern boundary, asserted its right to West Florida, and waited for the course of events in Europe to make it good. From the standpoint of the settlers of Kentucky and Tennessee, Louisiana was not a compensation for the gulf fringe of West Florida. In February, 1804, by a proclamation of President Madison, the Mobile region was organized as a custom district but no attempt was made to take possession until 1810, when, after a revolution by

the inhabitants, Governor Claiborne of the New Orleans territory was ordered to occupy the territory. In 1814, during the war with England, General Jackson took permanent possession.

In 1811 by a secret act of Congress, President Madison was authorized to take possession of East Florida. Commissioners were sent down, another revolution staged, and Amelia Island seized. The American troops were withdrawn in 1813.

From 1814 to 1819 Florida was the seat of guerilla warfare and general disorder which was a constant menace to the contiguous territory. Spain had not maintained neutrality during the War of 1812, and she had failed to fulfill her part of the treaty of Ildefonso--to prevent Indian attacks on the United States.

In 1817 General Jackson was ordered to put an end to the Indian attacks. In pursuing the Seminole Indians he captured the Spanish forts in northern Florida and Pensacola.

The serious complication with Spain which followed these acts of Jackson were settled through the forcible diplomacy of John Quincy Adams by the Treaty of 1819. By this treaty the United States secured both Floridas and assumed the claims of its citizens against Spain to the extent of five million dollars. The Florida question was at last settled.

The first... was... in 1811...

In 1811... was... the...

From 1811 to 1817... the...

In 1817... the...

The... the...

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It was Jay's opinion that the opening of the river to American commerce could never be secured except as the result of an aggressive war.¹ This question of the Mississippi was becoming increasingly important with the years to the people of the United States. At this time, and for some years later, the only road to market for the settlers west of the mountains was along the Mississippi. As long as the navigation of that river could be hindered, the growth of the West was checked. The Spaniards of New Orleans had closed that gate to the commerce of Kentucky and Tennessee and below their outposts no boat could descend the river without the consent of the Spanish authorities.

Meanwhile the government of the United States did not relax its efforts to get the Spanish questions settled. Matters in the West were fast reaching a crisis. Undisguised plans for separation from the East were being considered. The westerners naturally felt that these vital interests of the West were being sacrificed to the commercial interests of the East.

1. Chadwick - Relations of United States and Spain, I.
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The first part of the report deals with the general situation in the country and the progress of the work of the Commission. It is followed by a detailed account of the work done during the year, and a summary of the results achieved. The report concludes with a list of recommendations for the future.

The Commission has during the year been engaged in a number of important tasks, and has made considerable progress in its work. It has held several meetings, and has received many suggestions from the public. It has also carried out a number of investigations, and has published several reports.

Spain watched the development of this feeling among the frontiersmen with great interest. She hoped to make use of the situation to further her own ends. What she had not gained by treaty she hoped to obtain through intrigue - the detachment of the South-west from the land on both sides of the Mississippi. Skilfull agitators were hired to spread propaganda favorable to Spain. Among these was James Wilkenson, who continued to be in the pay of the Spanish government even after he became a high officer in the American army. Fortunately, the threatened dangers were avoided although the sentiment in the South-west in favor of separation did not disappear at once.^{1.}

From the Spanish duplicity with the whites we turn to their schemes with the Indians. One of the crafty plans of Spain was to unite the Indian tribes in opposition to America. The difference between the methods of the Spanish and Americans was a vital matter to the Indians. Wherever the Spaniard went among the Indians, trading posts and European goods followed; but in the wake of the frontiersmen from the other side of the mountains farms, roads and fortified places sprang up. There is good

1. Winsor - Westward Movement - 356-360, 369-371.

evidence that Spain set on foot Indian attacks on the settlers of Kentucky and Tennessee. This was in line with her policy of making the situation so hazardous for the American settlers that they would turn to her for relief. When the settlers appealed to the Confederation, that government, then carrying on its ticklish negotiations with Spain, gave orders that there should be only defensive action. But the people refused to submit, took matters into their own hands, and in an expedition against the Indians dealt them a severe blow. It is significant that documentary evidence of Spanish complicity in the recent outrages were found on this expedition. It was this condition - indignation at what the westerners considered the inactivity of the federal government in regard to the closing of the Mississippi, at the Indian outbreaks, coupled with the traditional hatred of the Anglo-Saxon for the Spaniard - that furnished the opportunity for Genet and his agents in the West.

The news of the projected attacks on the Spanish colonies instigated by Genet, and of the tone of Washington's message to Congress, reached Madrid in the summer of 1794, at a time when affairs in Europe were becoming serious for Spain. The good will of the United

States began to be worth cultivating. The Spanish Charge at Philadelphia suggested to the American government that a special envoy be sent to Madrid to expedite the treaty arrangements. Accordingly, Thomas Pinckney who was minister to England, was shifted to Madrid to reinforce the American Commissioners there. Pinckney's commission was dated November 24, 1794. On that same day John Jay, in London, wrote to Monroe, in Paris, that a treaty between the United States and his Britanic Majesty had been signed.

After some delay a treaty between Spain and the United States was signed at Madrid, October 27, 1795. Spain accepted the thirty-first parallel as the boundary of West Florida and agreed that the navigation of the Mississippi from its source to the ocean should be the right of American citizens. It also gave permission for the "right of deposit". After three years if this right should be withdrawn, another place should be substituted. Both nations were to "restrain by force all hostilities on the part of the Indian nations living within their borders".

1. State Papers - I:546-549

The first part of the report deals with the general situation of the country and the progress of the work done during the year. It is followed by a detailed account of the various projects and the results achieved. The report concludes with a summary of the work done and a list of the names of the staff members who have been engaged in the work.

The second part of the report deals with the financial statement of the organization. It shows the income and expenditure for the year and the balance sheet at the end of the year. It also shows the details of the various items of income and expenditure. The report concludes with a summary of the financial statement and a list of the names of the staff members who have been engaged in the work.

It is an interesting question as to what effect Jay's treaty with England had upon the course of Pinckney's negotiations. It seems obvious enough that fear of England, a possible attack upon Louisiana by way of the Mississippi, and the weakness of Spain in Europe, all worked together to make possible the development of that vast region which depended upon the free navigation of the Mississippi for its very existence.

The treaty was, however, but a stop-gap to difficulties. The main difficulty was the impossibility that the men who settled Kentucky and Tennessee should accept the dominance of the King of Spain over the right of way to the sea. The historian, Henry Adams, sums up the feeling which had grown up in the West and South; "Of all foreign powers Spain alone stood in such a position as to make violence seem sooner or later inevitable even to the pacific Jefferson; and every southern or western state looked to the military occupation of Mobile, Pensacola, and New Orleans, as a future political necessity. By a sort of tacit agreement the ordinary rules of American politics were admitted not to apply to this case. To obtain Pensacola, Mobile, and

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New Orleans the warmest states' rights champions in the South were ready to employ every instrument of centralization. On the part of the central and western states this eagerness to expel Spain from their neighborhood acted like a magnet affecting all without regard to theories or parties. ".....Against Indians and Spaniards alike the western states held loose notions of law; his settled purpose was to drive both races from the country and to seize their lands." 1.

1. Henry Adams - History of United States, I:338-340

Purchase of Louisiana

To the student of the early history of the United States it is easy to realize that from the moment Daniel Boone opened the pathway to the West the future expansion of the American people was inevitable, and that if the Mississippi barrier to westward expansion had not been removed when it was by the purchase of vast territory to the west, it would have been removed later at the cost not of dollars but of blood.

The Louisiana country, it must be remembered, had originally belonged to France. Never had she been reconciled to the fate that ousted her completely from these territories, compelling her to hand them over in part to England as the result of conquest, and in part to Spain as a result of an alliance. For a time, weakened by internal dissensions that culminated in the Revolution, she was obliged to put aside all thought of recovery of her lost territories over seas. With the advent of Napoleon and under his masterful influence came the hopes of rebuilding the New World empire of France. With this end in view Napoleon, taking advantage of the weakness of Spain, persuaded the Spanish monarch to cede the province of

Louisiana back to France. He desired, if possible, to obtain a cession of Florida also. The Floridas he failed to obtain, but on October 1, 1800, the day following that on which a treaty between France and the United States ended the difficulties that had brought about a state of war between the two countries, the treaty of Ildefonso was signed between France and Spain. By this treaty Spain ceded to France "the colony and province of Louisiana with the same extent it now has in the hands of Spain, that it had when France possessed it, and such as it ought to be according to the treaties subsequently^{1.} passed between Spain and other states".

The aim of Talleyrand who had been instrumental in bringing about this change of territory is plainly made known in this letter to the French minister at Madrid. "There are no other means of putting an end to the ambitions of the Americans than by shutting them up within the limits which nature seems to have traced for them; but Spain is not in a condition to do this work alone. Let the court of Madrid cede these districts (the Floridas and Louisiana) to France and from the moment the power of

1. Latane', American Foreign Policy, P.110

America is bounded by the limits which may suit the interests and tranquility of France and Spain to assign her." 1.

Rumors of the transfer of Louisiana, which it was supposed included the Floridas, had begun to come to the United States early in 1801 through Mr. Rufus King, minister to London. 2. It was a one-sided bargain for Spain but it promised to be menacing for the United States by imposing upon her a powerful and aggressive neighbor. The news caused the greatest uneasiness. Instructions were at once sent to the minister at Madrid urging him to find out what truth there was in the reports concerning the retrocession. Nothing definite could be learned but the rumors were sufficiently convincing to cause Jefferson to instruct Livingston, the American minister at Paris, to make plain to France the attitude of the United States, and to open negotiations for the purchase of New Orleans and the Floridas. "The day that France takes possession of New Orleans", wrote Jefferson, "fixes the sentence

1. Henry Adams: History of United States, I:355

which is to restrain her forever within her low water mark. It seals the union of two nations who in conjunction can maintain exclusive possession of the ocean. From that moment we must marry ourselves to the British fleet and nation. We must turn all our attention to a maritime force, for which our resources place us on very high grounds; and having formed and cemented together a power which may render reinforcements of her settlements here impossible to France, make the first cannon which shall be fired in Europe the signal for tearing up any settlements she may have made, and for holding the two continents in America in sequestration for the common purposes of the united British and American nations. This is not a state of things we desire or seek. It is one which this measure, if adopted by France, forces on us, as necessary as any other cause, by the laws of nature, brings on its necessary effect."^{1.}

Remembering the feeling of Jefferson toward England since the days of the Declaration of Independence, nothing shows more clearly how aroused he was. But it must be noted that his main care was not to keep the French out of Louisiana but to keep them out of New Orleans and thus

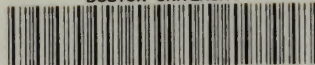
1. Latane', American Foreign Policy PP101-102

Quotations from Writings of Jefferson, IX. (April 18, 1802)

make sure that the gateway to their markets would remain open to the Mississippi folks. In this same letter Jefferson bade Livingston inform the French government that the cession of the Floridas and New Orleans to the United States "would certainly in a great degree remove the causes and irritation between us".

In the meantime the army which Napoleon had meant for the occupation of Louisiana had been destroyed in an attempt to put down an insurrection in Santo Domingo. This event was very important in its bearing upon the Louisiana Purchase. Coincident with the news of this disaster, information was received that the old-time prohibition of the "right of deposit" was renewed without an equivalent establishment being arranged for, as required by the Treaty of 1795. At once the westerners besieged the national government with demands for redress. The act was considered by them as prompted by Napoleon and a sample of what could be expected under French ownership. The Spanish minister assured Jefferson that the act of the Spanish intendent at New Orleans was unauthorized and, in fact, was later withdrawn. Its effect upon Congress, however, was the appropriation of two million dollars to cover expenses

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